

13th March 1928]

### APPENDIX I.

[Vide answer to question No. 1686 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 13th March 1928, page 12 supra.]

(1)

*Resolution from the Board of Revenue (Land Revenue and Settlement), Mis. No. 2437, dated 1st September 1927.*

[*Subject.—Irrigation—Ceded Districts Irrigation Committee's report—Kudimaramat—Reconstruction of derelict tanks.*]

The Board submits to Government its remarks on the recommendations of the Ceded Districts Irrigation Committee concerning the system of kudimaramat and the revival of derelict tanks.

2. The Collectors of Kurnool, Bellary, Anantapur, Cuddapah and Chittoor were consulted.

3. The Committee's recommendations in regard to the system of kudimaramat are—

- (i) that the kudimaramat rules should be liberally interpreted;
- (ii) that berm cutting should be done at Government cost, and

- (iii) that where, owing to long continued neglect or change in the regime of rivers, etc., the volume of work to be done is very large and beyond the means of the ryots, such works should be carried out at Government expense and by Government Agency.

4. The works executed by kudimaramat in the districts concerned are those enumerated in paragraph 5 of Board's Standing Order No. 86. The Collectors' reports show that the kudimaramat system is working fairly well except in Kurnool district. Mr. Rama Rao (Kurnool) states that the grant of special concessions under precarious sources has led to a partial neglect of kudimaramat work in his district. He observes that as the ryots are charged on the crop (dry or wet) which they raise they find it more profitable to concentrate on raising dry crops and that they are therefore indifferent to the maintenance of irrigation sources in a proper state of repair. He recommends the abolition of the distinction between precarious and non-precarious sources. The other Collectors have not made any such suggestion. The Board is not in agreement with Mr. Rama Rao on this point. The question of the retention of these concessions for precarious sources was fully discussed at the Collectors' conference in 1926. The view of the Commissioner of Land Revenue and Settlement which is given in the Board's review on the resettlement scheme for Anantapur (red soil taluks) was generally endorsed by Collectors with experience of the Ceded Districts. The Board has no doubt that the precarious sources rules have greatly benefited these districts. The dominant fact there is that the average season is a bad season. The Board must emphasize that the ryot in the Ceded Districts is as fully alive as any other to the advantages of bringing as large an area as possible under cultivation and he would not leave considerable extents waste if he could get a good crop off them. If as Mr. Rama Rao points out ryots are concentrating attention on raising dry crops the Board would welcome it as a good thing.

[13th March 1928]

Mr. Rutherford (Anantapur) suggests that the spring channels in his district should be considered as precarious sources and that the second crop charge under such channels should be reduced to a flat rate, in consequence of the high expenditure in money and labour involved in raising a second crop. The question is separately under the consideration of the Board and it will submit a report in the matter in due course.

5. The difficulty regarding the cutting of berms appears to exist only in Cuddapah district. The Collector (Mr. Sitaramayya) is in favour of the Committee's proposals. He states that after it was declared that the cutting of berms on the banks of river and spring channels was an item of kudimaramat the ryots have given up raising the silt and sand to the ground level as the task has become stupendous. He recommends that Government may undertake the work and that Rs. 10,000 may be set apart every year so that the channels may be dealt with in rotation once in ten years. He also states that a similar amount may be placed at the disposal of the Public Works Department for the channels in their charge. The problem of berm cutting was examined in 1914 and 1919. In 1914 the Board agreed with the Chief Engineer that the cutting of berms was part of the silt clearance which should be done by kudimaramat labour. In 1919 the Board reiterated its views of 1914. It perceived no objection to Government doing the initial berm cutting at their cost but expressed itself as opposed to the proposal because ryots would not take the trouble of removing the wet sand thrown on to the berms so as to leave the berms available for further use. The problem of berm cutting seems to be serious in Cuddapah and the Board is disposed to relax its original attitude and come to the assistance of the ryots in the matter. The Board therefore supports the Collector's recommendation with a proviso. If Government agree, the Collector will be instructed to frame a programme for utilizing the sanctioned grant in conjunction in each case with a pro-rata contribution in money or work from the ryots.

6. As regards the execution of works rendered necessary by long continued neglect, the objection to the acceptance of the Committee's recommendation that Government should do the work is that the acceptance of long continued neglect as a valid reason for Government bearing the cost of the work would stultify the kudimaramat system by putting a premium on neglect. Without kudimaramat, the task of maintaining irrigation sources would be beyond the capacity of any Government and without discipline there will be no kudimaramat. The best principle, in the Board's opinion, is that suggested by the Collector of Anantapur, viz., that Government should not take the responsibility altogether out of the hands of the ryots but should come to their assistance where the work is beyond their reasonable capacity.

As regards the execution of works rendered necessary by changes in the regime of rivers, it cannot be said that Government have refused to shoulder the burden of executing such works at their cost whenever there was sufficient cause. The Board would invite the attention of Government to the case of the Kothapalle channel disposed of in G.O. Mis. No. 1449 I., dated the 8th October 1926.

7. With regard to the revival of derelict tanks, the Committee itself recognises that no general rule can be proposed and that each case will have to be considered on its merits.

18th March 1928]

Mr. Sitaramayya (Cuddapah) repeats this. Mr. Rama Rao (Kurnool) forwards a list of derelict tanks and states that the cases may be referred to the Public Works Department for investigation and restoration.

Mr. Crofton (Bellary) merely suggests the strengthening of the Minor Irrigation staff by the appointment of an additional overseer for one year in order to restore derelict tanks as well as carry out ordinary repairs to Minor Irrigation works. An additional overseer for eight months has already been sanctioned.

Mr. Rutherford (Anantapur) states that the feasibility of restoring the derelict tanks by handing them over on special rate tenure to irrigation societies formed on co-operative basis from which takkavi loans for the cost of repairs less 20 per cent would be advanced may be considered. He also considers that efforts may be made to induce the villagers to execute the repairs themselves on the understanding that Government will contribute such portion of the estimated amount as will secure 4 or 5 per cent on their outlay as a result of the restoration, the balance being contributed by the ryots themselves. The ryots may pay the contribution in cash or they may execute the sanctioned estimates, for the amount approved by the Collector as reasonable for the Government to spend. This seems to be the only sound suggestion made for dealing with the problem of abandoned tanks. If the ryots have also to put their money into a scheme, they will examine more carefully its potentialities and the possibility of returns than if Government alone were interested financially. In dealing with abandoned tanks in the Ceded Districts, the Board thinks that Collectors should be allowed considerable discretion even in cases where the direct return to Government is low, for there seems to be no doubt that the existence of even a small supply in a tank adds considerably to the holding capacity of the wells in the area under the tank. This discretion should be allowed more especially in cases where the ryots are willing to contribute to the restoration of the tank.

8. The Committee has suggested that a large maintenance grant should be given for the Minor Irrigation work in the Ceded districts as at present their condition is unsatisfactory. Increased allotments based on the Collectors' actual demands are now being sanctioned.

9. Government have recently approved the revival of the Tank Restoration Scheme Parties. They have also directed that the Minor Irrigation staff should be freely used for the preliminary investigation of new schemes and of improvements to existing works. These, combined with the provision of larger allotments, will improve the situation.

#### 10. To sum up—

The Board is unable to discover evidence that Kudimaramat rules are worked illiberally or more strictly than is essential if the underlying principle of kudimaramat is to be retained.

It considers that an easy acquiescence in a plea for help to remove the effects of long-continued neglect puts a premium on future neglect.

It recommends a scheme of Government contribution towards berm-cutting operations in Cuddapah district where existing conditions appear to constitute a special case.

In regard to abandoned tanks, in addition to what has already been done in this matter, i.e., increased grants, formation of additional Tank Restoration Scheme Parties, etc., it would support the scheme put forward

[13th March 1928]

by the Collector of Anantapur, and further allow Collector's discretion to propose the restoration of derelict tanks even though the return to Government is low.

(2)

*G.O. Mis. No. 2463, Revenue, dated 30th November 1927.*

[*Subject.—Irrigation—Ceded Districts Irrigation Committee's Report—Kudimaramat—Reconstruction of derelict tanks—Orders passed.]*

*Read—Resolution from the Board of Revenue (Land Revenue and Settlement), Mis. No. 2437, dated 1st September 1927.*

*Order—Mis. No. 2463, Revenue, dated 30th November 1927.*

In paragraph 5 of G.O. No. 1973 I., dated 16th December 1926, the Government stated that the recommendations of the Ceded Districts Irrigation Committee in regard to kudimaramat and the revival of derelict tanks would be remitted to the Board of Revenue for consideration and report. The proceedings read above contain the Board's report.

2. *Kudimaramat.*—From the Collectors' reports forwarded by the Board of Revenue the Government observe that the kudimaramat system is working fairly well except in the Kurnool district. There are at present no special rules for the enforcing of kudimaramat but under Board's Standing Order No. 86, paragraph 5, it is the duty of the Collectors to see that the customary labour on irrigation works is performed in each village of their districts as authorized by section 6 of the Madras Compulsory Labour Act, I of 1858. The question of issuing more specific instructions to Revenue officers to ensure that kudimaramat is regularly done by the ryots every year is under the consideration of the Government, and separate orders will issue thereon in due course.

The recommendations of the Committee and the report of the Board of Revenue show that the main point for the consideration of the Government is whether the Government should undertake to pay anything towards the execution of works which the ryots have hitherto been made to undertake at their cost or which might conceivably be classed as kudimaramat works.

(a) First must be considered the cases in which the execution of kudimaramat works is rendered necessary by long-continued neglect. The Board of Revenue states that the acceptance of long-continued neglect as a valid reason for Government bearing the cost of kudimaramat works would stultify the kudimaramat system by putting a premium on neglect. On the other hand, it may be contended that if the Revenue officials had been attentive to their duties they would have enforced the obligation of kudimaramat and not allowed the neglect to continue so long. On the whole the Government are of opinion that the following may be regarded as a general working principle. In cases where owing to long continued neglect for many years past during which period the Revenue officers have omitted to enforce the work of repair by customary labour an irrigation work involving considerable labour and expense has to be undertaken, the Government will be prepared to consider on the merits of each case whether any contribution should be made from Public Works Department or Minor Irrigation funds towards the cost of the work.

13th March 1928]

(b) With reference to the execution of works rendered necessary by changes in the regime of rivers the Board of Revenue points out that the Government have not refused to shoulder the burden of the execution of such works at their cost where there was sufficient cause. Exceptional works rendered necessary by changes in the regime of rivers cannot, strictly speaking, be regarded as kudimaramat works. Such cases should be reported by Collectors for the orders of Government after consultation with the officers of the Public Works Department.

(c) *Berm cutting.*—Orders will issue separately on this point.

3. *Reconstruction of derelict tanks.*—The Committee itself has recognized that no general rule can be proposed and that each case will have to be considered on its merits. The Government consider that the work of the Tank Restoration Scheme Parties in the Ceded Districts should embrace the investigation of the question of restoring the ruined and abandoned tanks in those districts. The list of derelict tanks forwarded by the Collector of Kurnool is accordingly forwarded to the Chief Engineer for Irrigation for investigation by the Tank Restoration Scheme Party working in Kurnool.

(3)

*Resolution from the Board of Revenue (Land Revenue and Settlement), Mis. No. 2931, dated 8th October 1927.*

[*Subject.—Irrigation—Ceded Districts Irrigation Committee's report—Pumping with mechanical and electrical appliances.*]

The Ceded Districts Irrigation Committee recommended that irrigation from wells and streams by pumping with mechanical and electrical appliances should be developed as a State enterprise. The Director of Industries takes it to mean that "pumping plants electrically or mechanically driven should be installed and maintained by Government and that water should be distributed to ryots and charged for in the same manner as is done with canal water".

2. The Board has consulted the Collectors of the Ceded Districts to which this recommendation in particular applied. The Collectors have to the extent of their knowledge indicated the localities where investigation might reveal an adequate supply of sub-soil water to supply a pumping plant. Their reports do not however suggest that as far as is known at present any substantial project will be possible. As the Collector of Chittoor points out "it is obviously no use setting up a pumping plant unless a fairly constant and abundant supply of water is available".

3. Assuming, however, that investigation discloses the presence of a reasonable supply of sub-soil water or suitable river conditions for a pumping scheme, it still remains to be considered whether the State should undertake and run these projects as a public concern or whether it should leave them to be developed by private enterprise assisted in some way from the State's resources. Past experience of pumping operations undertaken by the State has not been invariably fortunate; as for example, the Gunjana pumping system—G.O. No. 1735, Revenue, dated 24th July 1915, and the Pratur Pumping system—G.O. No. 942, Revenue, dated 14th July 1922, and G.O. No. 104 I, dated 5th May 1923. It does not of course follow that a Government scheme would never be successful; but it is obvious that to

[13th March 1928]

operate a pumping scheme without financial loss it is essential that the operations should be of a magnitude, e.g., in the island of Divi, for which opportunities are not frequent. The financing and running of a small scheme by Government seems financially out of the question. Irrigation by pumping is expensive. Mr. Rutherford for example reports that the Anantapur Municipal Water Works at its best pumps only 75,000 gallons a day. This, he estimates, would irrigate a wet crop on some 10 acres. He assumes that Rs. 25 is about as high a consolidated double crop wet rate as Government could at present impose and concludes that the income realized, i.e., Rs. 350 would not suffice to pay the cost of running the plant, much less interest on capital. The position apparently is that the expenses of running the pumping installation in most cases are such that no water rate which the ryot would at present be willing to pay would suffice to cover working costs. It does not, however, follow that a ryot or a combination of ryots could not work a similar scheme with profit to themselves.

4. There is another difficulty if the project be one of pumping from wells. In the majority of cases such wells would be sunk on private land. There is therefore the possibility of legal difficulties in levying the full water-rate for water raised from wells on private lands. The Board is therefore of opinion that the recommendation of the Ceded Districts Irrigation Committee is not feasible. It considers that pumping projects should for the present be left to private enterprise and that the State can best assist by (a) undertaking the preliminary survey of irrigational possibilities and indicating sites for sinking wells or installing mechanical or electrical contrivances; (b) permitting the installation of mechanical appliances on the banks of streams or rivers containing copious springs as far as may be possible without damaging any irrigation there may be in the lower regions; (c) granting loans for sinking wells and the purchase of plant.

5. The question of locating the subterranean water-supply has been receiving attention. Government Order No. 337 I., dated 30th October 1924, summarizes the policy of the Government at the time and the Board in its preliminary Memorandum on Irrigation contained in B.P. No. 1311, dated 15th June 1926, has laid stress on the necessity for Government action in this matter. The Director of Industries proposes the entertainment of a special staff to ascertain the sub-soil condition by an examination of existing wells and putting down trial borings where necessary. A special staff of the Industries Department touring throughout the Ceded Districts and Chittoor might advise enterprising ryots or bodies of ryots who agree to undertake such schemes. The information given by the Collectors of Kurnool, Anantapur and Bellary regarding the probable localities where experiment can be tried will give some indication to the staff where to start.

No remarks are required on sub-head (b) except to note that no cases in which ryots have been refused permission to pump water from public sources have been reported to the Board.

As regards point (c) above, special rules already exist governing the grant of loans for pumping installations for which the rate of interest is  $7\frac{1}{4}$  per cent. The Board considers that no further encouragement is at present necessary. It is hardly desirable to offer loans for this purpose at specially reduced rates to encourage the ryots to undertake pumping schemes while the conditions of subterranean water-supply are still uncertain.

13th March 1928]

6. To sum up : The Board is of opinion that before Government commits itself to any other method of promoting irrigation by pumping with electrical or mechanical appliances, the first essential is as adequate and complete a survey of the surface and sub-soil water-supply as is possible.

#### APPENDIX II.

[Vide item X on page 71 supra.]

#### BILL No. 1 OF 1928

#### A BILL FURTHER TO AMEND THE MADRAS CHILDREN ACT, 1920.

#### Report of the Select Committee.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL  
OF THE GOVERNOR OF MADRAS.

We, the undersigned members of the Select Committee appointed to consider the Bill further to amend the Madras Children Act, 1920 (Bill No. 1 of 1928), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 17th January 1928, in Tamil, Telugu and Kanarese on the 24th January 1928, and in Malayalam, Hindustani and Oriya on the 31st January 1928.

3. The Committee met on Saturday the 4th February 1928 and examined the provisions of the Bill.

4. They agree to the provisions of the Bill; but to improve the drafting, they would recommend that for

clause 2 of the Bill, the following clause may be substituted :

“ 2. For sub-section (2) of section 35 of the Madras Children Act, 1920, the following sub-sections shall be substituted :—

(2) The Local Government may order--

(a) a youthful offender under the age of fourteen years detained in a senior certified school to be transferred to a junior certified school ;